

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

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| Isa P. Greene, |) | Civil Action No. 3:13-av-99999 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | NOTICE OF REMOVAL |
| |) | Removed from Circuit Court of Richland |
| Randy Scott, individually and in his |) | County, SC (2013-CP-400-1199) |
| Official Capacity as Chief of the City of |) | |
| Columbia Police Department and the |) | |
| City of Columbia, |) | |
| |) | |
| Defendants. |) | |

Defendants Randy Scott and City of Columbia, by filing this Notice of Removal and related papers, remove this action from the Circuit Court of Richland County, South Carolina, to the United States District Court for the District of South Carolina, Columbia Division, pursuant to 28 U.S.C. § 1441(a) and 28 U.S.C. § 1443(2). In support of removal, the Defendants state:

1. On February 27, 2013, Plaintiff filed a lawsuit against the above-named Defendants in the Circuit Court of Richland County. A copy of the Complaint filed in the state court is attached as Exhibit A.

2. Causes of action presented in the Complaint purport to assert claims under 42 U.S.C. § 2000e-2 (Complaint ¶¶ 1, 5, 29, 36, 39, 40 and 47), 42 U.S.C. § 1981a (Complaint ¶¶ 36, 40 and 47), 29 U.S.C. § 206(d) and 42 U.S.C. § 2000e-2(h) (Complaint ¶¶ 1, 43 and 47). Plaintiff also asserts violation of 42 U.S.C. § 1983 based upon alleged violation of the Fourteenth Amendment of the United States Constitution (Complaint ¶¶ 48 – 58).

3. The Complaint was served on the Defendants through the Office of the City Clerk and the City Police Department.

4. This Notice is presented in a timely manner pursuant to 28 U.S.C. § 1446(b).

5. The Circuit Court of Richland County is located within the District of South Carolina. Accordingly, removal to this Court satisfies the venue requirements of 28 U.S.C. § 1446(a).

6. Plaintiff, Isa P. Greene is a citizen of the State of South Carolina and a resident of Richland County, South Carolina. Complaint ¶ 2 (Exhibit A)

7. Defendant Randy Scott, is the Police Chief for the City of Columbia and a resident of Richland County, South Carolina. Defendant Scott is alleged to have acted under color of state law. (Complaint ¶ 3)

8. Defendant, City of Columbia is a municipality located in Richland and Lexington Counties, South Carolina. Defendant City of Columbia is alleged to be subject to suit under Title VII, the Equal Pay Act and the Fourteenth Amendment. (Complaint ¶ 4)

9. This Court has original subject matter jurisdiction over this action as to Defendant City of Columbia pursuant to 28 U.S.C. § 1441(a) and § 1443(2) insofar as Plaintiff alleges violations of federal civil rights statutes and constitutional provisions.

10. A copy of the written notice required by 28 U.S.C. § 1446(d) is attached as Exhibit B and is being filed in the Circuit Court for Richland County, South Carolina and served on the Plaintiff.

NICKLES LAW FIRM, LLC

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Columbia, South Carolina
March 4, 2013

Attorneys for Defendant